IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 26313 of 2005

Between:

Shaik Budan Khan, S/o. Ijjath Khan,
Yerrupalem (M) Khammam District.

..... PETITIONER

AND

Government of India, Ministry of Home Affairs,

(Freedom Fighters Division),
represented by its Under Secretary, Lok Nayak Bhavan,

Khan Market,
New Delhi- 110003.

.....RESPONDENT

The Court made the following:

ORDER:

Questioning the action of the respondent in issuing the impugned order in proceedings No.112/2185/97-FF(HC)-E, dated 19.01.2004 and in not considering the representations dated 31.01.2004 and 04.12.2004 made by the petitioner, the present writ petition has been filed.

The case of the petitioner, in brief, is that he is a Freedom Fighter, fought against the then Nizam rule and participated in the freedom movement during

1947-48 for liberation of the Nizam State and in that process, he went underground and joined in border camp of Tiruvuru, Krishna District (Border camp). The Government of India formulated a pension scheme to provide financial assistance to Freedom Fighters viz., “Swatantrata Sainik Samman Pension Scheme-1980” to assist the freedom fighters during their old age and as per the said scheme, he applied for Freedom Fighters Pension in the year 1982 duly enclosing necessary certificates, and thereafter, his application was scrutinized and approved by the screening committee in the year 1997. But, the said application was rejected by the respondent vide impugned order dated 19.01.2004 on the ground that “the applicant has mentioned his camp’s name as “Peddaram” whereas the State Government and PKCs & CPCs indicated the camp’s name as “Tiruvuru” and as there is a contradiction in the name of camp, the petitioner was not found eligible for grant of Swatantrata Sainik Samman Pension. For clarifying the said contradiction, the petitioner filed a detailed representation before the respondent on 31.01.2004 and on 04.12.2004. But, no action has been taken by the respondent so far. Hence, the present writ petition.

Heard the learned counsel for the petitioner and Sri Vani Reddy, Additional Standing Counsel for the Central Government.

Having regard to the fact that the petitioner has already been submitted his explanations to clarify the contradiction, which is in dispute, it is for the respondent to consider and pass appropriate orders.

Therefore, without expressing any opinion on the merits of the case, I deem it appropriate to direct the respondent to consider and dispose of the representations dated 31.01.2004 and 04.12.2004 made by the petitioner in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order.

With the above observation, the writ petition is disposed of. No costs.

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(V. ESWARAIAH, J)

Date: 09.12.2005

Ksn